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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,873	10/21/2003	Craig C. Mateer	035809-0101	3347
23524	7590	11/10/2005	EXAMINER	
FOLEY & LARDNER LLP 150 EAST GILMAN STREET P.O. BOX 1497 MADISON, WI 53701-1497			TRAN, KHOI H	
			ART UNIT	PAPER NUMBER
			3651	

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/689,873

Applicant(s)

MATEER, CRAIG C.

Examiner

Khoi H. Tran

Art Unit

3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119


- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

  
**KHOI H. TRAN**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 23 and 24 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The claims do not further limit the claimed invention of providing a method for managing the transportation of baggage for passengers. For example, providing a boarding pass to a passenger does not further limit the scope of transporting baggage to the airport.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 21, 29, and 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claims 21, 29, and 33, the term "integrated service" renders the claim indefinite because it is not known which actual services are being claimed. The scope of the claimed service(s) is not known. Hence, any types of services or actions are interpreted to be integrated service.

In regards to claim 29, it is not known which "federal agency approval standards" Applicant is referring.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 21, 23, 24, 26, 27, 28, 29, 30, 32, 33, 35-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quackenbush et al. 6,512,964.

Quackenbush et al. '964 disclose a system and method for remotely arranging the transportation of baggage for passengers per claimed invention. The system comprises a network that provides access to a travel reservation and information server (Figure 3) from any location. From this server, user can purchase airline tickets and arrange for remote baggage pick up by a ground delivery operator (GDO). The remote pick up location includes hotel area or any other locations way from the airport. Upon baggage pick up, i.e. from the hotel, the GDO confirms that the baggage owner possesses proof of purchased ticket (normally includes flight itinerary) and personal identification via a client computer that connects with said network and server. The GDO then tags the baggage with a scannable tag and delivers the baggage to a screening facility, and subsequently to the airplane. It is obvious that the service provided by the GDO is an integrated service at the remote property, i.e. hotel, if the remote property also provides GDO service. Quackenbush et al. '964 and the paragraph bridging columns 1 and 2, indicate that the GDO service could be provided from any establishments. It is obvious that the service provided by the GDO is an

integrated service at the remote property if the GDO performs any other functions besides checking in the baggage. It is also obvious that the steps of confirming passenger's identification, tagging the baggage, and transporting the baggage are considered together as an integrated service.

In regards to claims 27 and 28, if Quackenbush et al. '964 remote property happens to be a hotel, it is obvious that bellhop, valet, concierge, and security services will be provided.

In regards to claims 29 and 32, it is obvious that the GDO services meet federal agency approval standards for common carrier check-in services in order for the baggage to be delivered to the airport and to the carrier.

In regards to claim 30, if Quackenbush '964 remote property happens to be a hotel, it is obvious that bellhop, valet, concierge, security services will be provided.

In regards to claims 24 and 33, Quackenbush et al. '964 disclose all elements per claimed invention as explained above. However, it is silent the printing step for the boarding pass and baggage identification.

Nevertheless, It would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have provided to Quackenbush et al. '964 with the printing step because it facilitates the physical manifest of the boarding pass and baggage tag. It is also obvious that any confirmed airline passenger would be provided with a boarding pass in order to board the destined plane.

In regards to claim 37, it is obvious that the passenger baggage could be arranged to be pick up less than 12 hours from flight departure.

6. Claims 22, 31, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quackenbush et al. 6,512,964 as applied to claims 21, 29, and 33 above, and further in view of Yamazaki 5,793,639 or in view of Mekata 4,984.

Quackenbush et al. '964 disclose all elements per claimed invention as explained in paragraph 5 above. However, it is silent as to the specific of Quackenbush '964 client computer being part of a kiosk.

Yamazaki '639 and Mekata '984 disclose a computer terminal in the form of a modular kiosk.

It would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have made Quackenbush et al. '964 client computer part of a kiosk because it facilitates a modular housing for the client computer, as shown by Yamazaki '639, or Mekata '984.

7. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Quackenbush et al. 6,512,964 in view of Manabe 6,594,547.

Quackenbush et al. '964 disclose all elements per claimed invention as explained in paragraph 5 above. However, it is silent as to the specific of the baggage scannable tag being in the form of a barcode.

Manabe '6,594,547 discloses of a commonly well-known scannable barcode for a baggage tag.

It would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have provided Quackenbush et al. '964 scannable tag with a

barcode because it facilitates it provides a commonly well known scannable baggage tag, as shown by Manabe '547.

***Response to Arguments***

8. Applicant's arguments filed 09/26/2005 have been fully considered but they are not persuasive.

Claim objections (claims 23 and 24):

In the argument, Applicant is silent as to how claims 23 and 24 actually further limit the claimed method/system for transporting baggage. It is obvious that the steps of registering a passenger and providing a boarding pass to a passenger have no relevance upon the claimed method/system for managing the transportation of baggage. The mere showing that claims 23 and 24 depend upon the independent claim 21 does not provide persuasive reason as to how these claims further limit the scope of claim 21.

Applicant argued that Quackenbush et al. '964 do not provide an integrated service at a remote property. This argument is not persuasive. Per the reasons provided above, it is obvious that Quackenbush et al. '964 do contain the claimed integrated service.

Applicant argued that Quackenbush et al. '964 failed to teach how the customers check in baggage. However, this argument is not specifically supported by the claim language.

Applicant argued that Quackenbush et al. '964 failed to solve staffing problems that are faced by known remote baggage processing system. However, this argument is not specifically supported by the claim language.

Applicant argued that Yamazaki '639 and Mekata '156 do not provide the missing teachings. This argument is not persuasive. It is not known which "teachings" Applicant is referring.

***Conclusion***

9. Additional references made of record and not relied upon are considered to be of interest to applicant's disclosure: see attached USPTO Form 892.

***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

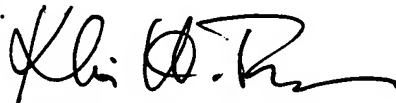


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoi H. Tran whose telephone number is (571) 272-6919. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khoi H Tran  
Primary Examiner  
Art Unit 3651

KHT  
11/02/2005